

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALIEU JATTA,

Petitioner,

v.

LOWELL CLARK, et al.,

Respondent.

Case No. C19-02086-MJP-SKV

ORDER GRANTING JOINT
REQUEST TO STAY PROCEEDINGS

This is a 28 U.S.C. § 2241 habeas action. On December 5, 2020, the Honorable Marsha J. Pechman issued the following order:

The Court DENIES Respondents' motion to dismiss for lack of jurisdiction (Dkt. No. 6) as to Petitioner's claims related to (a) his application for a provisional unlawful presence waiver and (b) his arrest and detention, and GRANTS the motion as to the remaining claims. The Court GRANTS Petitioner's motion for a stay of removal and release from custody (Dkt. No. 8). The Court ORDERS Jatta to be released immediately with conditions to be set by ICE consistent with this Order. The Court STAYS Petitioner's removal until further order of the Court. And the Court RE-REFERS this matter to [the Magistrate Judge] for further proceedings.

Dkt. 24. On January 29, 2021, Respondent filed a Notice of Appeal of Judge Pechman's order.

Dkt. 25. On June 29, 2021, the Court of Appeals granted Respondent's motion to voluntarily dismiss the appeal and the appeal was dismissed. Dkt. 28. On July 1, 2021, the Court directed

1 the parties to submit a joint status report indicating whether there have been any relevant changes
2 affecting the status of the Petition. Dkt. 29.

3 On July 12, 2021, the parties submitted a joint status report stating that “the parties agree
4 that there have been significant changes regarding Petitioner’s detention claims” since the
5 Court’s December 5, 2020 order. Dkt. 30. The parties note that “Petitioner’s Application for
6 Waiver of Grounds of Inadmissibility (‘provisional waiver’) remains pending with the USCIS”
7 and request that “the proceedings before the Court be stayed for sixty (60) days while the parties
8 await a decision from USCIS.” *Id.*

9 Based on the foregoing, the Court finds and ORDERS:

10 (1) The parties’ joint request to stay proceedings for sixty (60) days pending a
11 decision from the USCIS on Petitioner’s Application for Waiver of Grounds of Admissibility,
12 Dkt. 30, is GRANTED.

13 (2) This action is STAYED until **September 20, 2021**.

14 (3) The parties shall file a joint status report **on or before September 20, 2021**
15 notifying the Court of the status of Petitioner’s Application for Waiver of Grounds of
16 Admissibility and any further information relevant to the proceedings on the Petition before the
17 Court.

18 (4) The Clerk is directed to send copies of this order to the parties and to the
19 Honorable Marsha J. Pechman.

20 Dated this 20th day of July, 2021.

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23 S. KATE VAUGHAN
United States Magistrate Judge